IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HONOURBALE SRI JUSTICE ELIPE DHARMA RAO

W.P. No. 10315 OF 2005

Dated : 29.07.2005

Between:

V. Jagan Mohan Reddy.

Petitioners

AND

The Govt. of A.P., Rep. By its Secretary, Municipal
Administration & Urban Development, Secretariat,
Hyderabad and two others.

Respondents

THE HONOURABLE SRI JUSTICE ELIPE DHARMA RAO

W.P. NO. 10315 OF 2005

ORAL ORDER:

The petitioner seeks a writ of mandamus declaring the action of the respondents for the merger of A.Narayanapuram Gram Panchayath with Anantapur Municipal Corporation for upgradation of Anantapur Municipal Corporation as illegal and unjust and violative of the fundamental rights guaranteed under Article 14 of the Constitution of India.

The case of the petitioner, which is Gram Panchayath, is that the third respondent by letter dated 3693./93/G1/2005 dated 15.1.2005 submitted proposals to the 2nd respondent for merger of petitioner gram panchayat and seven other gram panchayat with the proposed Anantapur Municipal Corporation and the 2nd respondent in turn submitted proposals by letter dated 21.1.2005 to the Government. The first respondent by GO Ms. No. 86 Municipal Administration & Urban Development dated 23.2.2005, wherein the intention of merger of the gram panchayath with the Anantapur Municipal Corporation is mentioned. But according to the learned counsel for the petitioner, it is incorrect and, therefore, came up with the instant writ petition.

Evidently, as on today, the Government has only received proposals from the District Collector with regard to the merger of eight gram panchayats in to the Anantapur Municipal Corporation and there is neither any notice to the Gram Panchayath nor any final order is passed, dissolving the petitioner gram panchayat and merging with the Anantapur Municipal Corporation. In that premise, the writ petition is premature and is liable to be dismissed and is accordingly dismissed. No order as to costs. It is, however, open to the petitioner to assail the correctness of the order of the Government in the evident the petitioner Gram Panchayath is dissolved.

Elipe Dharma Rao, J.

July 27, 2005

MAS.